

JAN 17 2006

PTO/SB/61 (07-05)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<p align="center">PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)</p>	<p align="center">Docket Number (Optional) SYN 1756</p>
<p>First Named Inventor: Ofek, Yoram Art Unit: 2662 Application Number: 09/535,831 Examiner: LEVITAN, Dmitry Filed: March 28, 2000</p> <p>Title: A SWITCHING SYSTEM AND METHODOLOGY HAVING SCHEDULED CONNECTION ON INPUT AND OUTPUT PORTS RESPONSIVE TO COMMON TIME REFERENCE</p> <p>Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p align="center">NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.</p> <p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.</p> <p align="center">APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION. NOTE: A grantable petition requires the following items:</p> <ul style="list-style-type: none"> (1) Petition fee. (2) Reply and/or issue fee. (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and (4) Adequate showing of the cause of unavoidable delay. <p>1. Petition fee</p> <p><input checked="" type="checkbox"/> Small entity - fee \$ <u>250.00</u> (37 CFR 1.17(l)). Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> Other than small entity - fee \$ _____ (37 CFR 1.17(l)).</p> <p>2. Reply and/or fee</p> <p>A The reply and/or fee to the above-noted Office action in the form of <u>COMMUNICATION AND REQUEST FOR RECONSIDERATION AND AMENDMENT B</u> (Identify the type of reply):</p> <p><input checked="" type="checkbox"/> has been filed previously on <u>June 3, 2004</u></p> <p><input checked="" type="checkbox"/> is enclosed herewith.</p> <p>B The issue fee of \$ _____</p> <p><input type="checkbox"/> has been filed previously on _____</p> <p><input type="checkbox"/> is enclosed herewith.</p>	

[Page 1 of 4]

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/81 (07-05)

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)****3. Terminal disclaimer with disclaimer fee**

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

David H. Sitrick
Signature

January 17, 2006
Date

David H. Sitrick

Typed or printed name

29,349

Registration Number, if applicable

8340 N. Lincoln Ave., Ste. 201

Address

847-677-4411

Telephone Number

Skokie, IL 60077

Address

Enclosure ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unavoidable delay

☒ Previously Submitted: COMMUNICATION AND REQUEST FOR RECONSIDERATION AND AMENDMENT B

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

17 JAN 2006
Date

Elise L. Corrado
Signature

Elise L. Corrado

Typed or printed name of person signing certificate

[Page 2 of 4]

PTO/SB/81 (07-05)

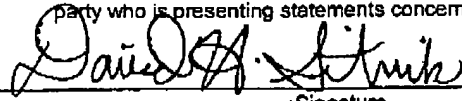
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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

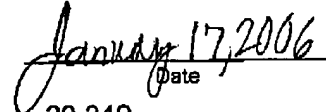
NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.



Signature

David H. Sitrick

Typed or printed name



Date

29,349

Registration Number, if applicable

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

On August 17, 2004, Attorney for Applicants, David H. Sitrick, contacted Supervisory Patent Examiner Hassan Kizou via telephone regarding the Advisory Action--Date Mailed: August 9, 2004, Paper No. 12, for serial no. 09/535,831. (Examiners Levitan and Kizou had been contacted repeatedly by Attorney for Applicants throughout the prosecution of the present application, in order to resolve issues of inventorship and objections raised by Examiners--as referenced by the attached copy of the previously submitted, timely filed COMMUNICATION AND REQUEST FOR RECONSIDERATION AND AMENDMENT B.)

Examiner Kizou stated that the Petition for Correcting Inventorship for the parent (serial no. 09/120,636--issued US patent no. 6,272,131) of the present application had not yet been processed, and its result was not known at that time. The Examiner said there is nothing they could do, because Applicants are correcting inventorship in the case of an issued Patent, and it went to the Petition Division. Therefore, the Examiner stated that he was unable to do anything since it is another Division of the Patent Office which had not responded. Thus, the issue concerning inventorship was not resolved for approximately 1.5 years after said Petition had been filed. Applicants were not able to file a Request for Continued Examination, because the application would be finally rejected again, since the Petition for Correcting Inventorship had not yet been processed and granted. The Examiners did not suspend prosecution of the pending application while they were waiting for the Petition to be approved. This resulted in unavoidable abandonment of the the present application.

Applicants' Attorney and Paralegal have been in contact with the USPTO on numerous occasions; speaking with Examiners Pizarro, Kizou, Levitan and the Office of Petitions since the aforementioned Petition was transmitted, in order to correct inventorship and promote the prosecution of the above-referenced, present patent application.

(Please attach additional sheets if additional space is needed.)

[Page 3 of 4]

PTO/SB/51 (07-05)

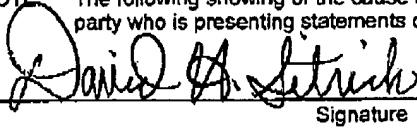
Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

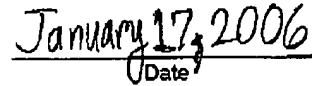
NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.



Signature

David H. Sitrick

Typed or printed name



Date

29,349

Registration Number, if applicable

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

Applicants' Attorney and Applicants' Paralegal, Elise Corrado, spoke with Examiner Levitan on December 9, 2005, December 12, 2005 regarding the status of the afore-mentioned petition and status of the present Application.

Applicants' Attorney spoke with Examiner Pizarro on December 12, 2005 regarding the status of the afore-mentioned petition, and Examiner Pizarro requested that it be re-submitted.

Examiner Kizou spoke with Applicants' Paralegal on December 16, 2005 regarding the status of the afore-mentioned Petition, and stated that he would examine the petition, and if all was in order, he would grant it.

The Petition was finally granted on December 30, 2005 and received, January 9, 2005, by Applicants' Attorney, and a copy of the decision is herewith submitted for Examiners' review.

On January 12, 2006, Examiner Kizou advised Applicants' Attorney to file this Petition for Revival of an Application for Patent Abandoned Unavoidably Under 37 CFR 1.137(A) for the present application.

Applicants respectfully request that the present application be revived as it was unavoidably abandoned. Additionally, Applicants respectfully submit that the prosecution of the present application has been delayed through no fault of their own or of their representatives and request a withdrawal of the Final Rejection; Reconsideration of the present application—resulting in a Notice of Allowance or Allowability of the application, including all pending claims; and refund of the fee associated with this Petition.

The Office is invited to communicate directly with the Attorney for Applicants via phone as would be of assistance to expediting prosecution of this matter.

(Please attach additional sheets if additional space is needed.)

[Page 4 of 4]

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JAN 17 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAIL

DEC 30 2005

Paper No 8

DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

**DECISION GRANTING
PETITION**
37 CFR 1.324

In re Patent No. OFEK, YORAM

Issue Date: August 7, 2001

Appl No.: 09/120,636

Filed: July 22, 1998

For: INTEGRATED DATA PACKET NETWORK USING
A COMMON TIME REFERENCE

This is a decision on the petition filed June 3, 2004 to correct inventorship under 37 CFR 1.324.

The petition is granted.

The patented file is being forwarded to Certificate of Corrections Branch for issuance of a certificate naming only the actual inventor or inventors.

Hassan Kizou
Supervisory Patent Examiner
Art Unit 2662
Technology Center 2600

SITRICK & SITRICK
8340 N LINCOLN AVENUE SUITE 201
SKOKIE, IL 60077



**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE**

Patent No. 6,272,131 B1

Patented: August 7, 2001

On petition requesting issuance of a certificate for correction of inventorship pursuant to 35 U.S.C. 256, it has been found that the above identified patent, through error and without any deceptive intent, improperly sets forth the inventorship.

Accordingly, it is hereby certified that the correct inventorship of this patent is: Yoram Ofek, Riverdale, NY; Mario Baldi, Cunco, Italy.


Hassan Kizou
Supervisory Patent Examiner
Art Unit 2662

USPTO 6/3/2004 7:46 PM PAGE 1/001 Fax Server
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Auto-Reply Facsimile Transmission



TO:

Fax Sender at 847 677 4656

Fax Information

Date Received:

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Total Pages:

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ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.


Received
Cover
Page

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06/03/2004 18:23 FAX 847 677 4656		SITRICK & SITRICK		0001	
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE					
Applicant:	OWEK, et al.	) CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8 I hereby certify that this correspondence is being facsimile transmitted to: 703.972.9306 at the United States Patent and Trademark Office on June 3, 2004. <i>Blaise L. Carrozza</i> Blaise L. Carrozza (18 pages total))		
For:	A SWITCHING SYSTEM AND METHODOLOGY HAVING SCHEDULED CONNECTION ON INPUT AND OUTPUT PORTS RESPONSIVE TO COMMON TIME REFERENCE				
Serial Number:	09/535,631				
Filed:	March 28, 2000				
Examiner:	LEVITAN, Dmitry				
An Unit:	2662				
Attorney Docket:	SYN 1756				
COMMUNICATION AND REQUEST FOR RECONSIDERATION AND AMENDMENT					
Mail Stop AP Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450					
Dear Sir:					
Applicants hereby submit this Communication, Request for Reconsideration and Amendment B, responsive to Examiner Levitan's telephone conversations with the office of Applicants' Attorney on May 18, 24, 25 and 26, 2004; Examiner Kison's telephone conversation with Applicants' Attorney on June 1, 2004 and to the Advisory Action—Date Mailed: May 28, 2003, Paper No. 10, in which a response is due March 03, 2004 by a shortened statutory period for reply not to expire three months from the mailing date of the Office Action.					
By this Amendment, the Specification has been amended. A Substitute, New Declaration for Utility Patent Application (37 CFR §1.63) is herewith filed. Applicants wish to thank					
- 1 -					
PAGE 1/18 * RCVD AT 6/3/2004 7:38:14 PM [Eastern Daylight Time] * SRC:USPTO-EFXXRF-1/18 * DNIS:2738300 * CSID:847 677 4656 * DURATION (mm-ss):08:26					

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	OFEK et al.)	
)	
For:	A SWITCHING SYSTEM AND	)	CERTIFICATE OF
	METHODOLOGY HAVING	)	TRANSMISSION UNDER
	SCHEDULED CONNECTION ON	)	37 CFR 1.8
	INPUT AND OUTPUT PORTS)	
	RESPONSIVE TO COMMON	)	I hereby certify that this
	TIME REFERENCE	)	correspondence is being facsimile
		)	transmitted to: 703.872.9306 at
Serial Number:	09/535,831	)	the United States Patent and
		)	Trademark Office on <u>June 3,</u>
		)	<u>2004.</u>
Filed:	March 28, 2000)	
)	
Examiner:	LEVITAN, Dmitry)	
		)	Elise L. Cerrado
Art Unit:	2662)	
)	
Attorney Docket:	SYN 1756	)	(18 pages total)

COMMUNICATION
AND
REQUEST FOR RECONSIDERATION
AND
AMENDMENT B

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COPY

Dear Sir:

Applicants hereby submit this Communication, Request for Reconsideration and Amendment B, responsive to Examiner Levitan's telephone conversations with the office of Applicants' Attorney on May 18, 24, 25 and 26, 2004; Examiner Kizou's telephone conversation with Applicants' Attorney on June 1, 2004 and to the Advisory Action—Date Mailed: May 28, 2003, Paper No. 10, for which a response is due March 03, 2004 by a shortened statutory period for reply set to expire three months from the mailing date of the Office Action.

By this Amendment, the Specification has been amended. A Substitute, New Declaration for Utility Patent Application (37 CFR §1.63) is herewith filed. Applicants wish to thank

PATENT APPLICATION
Serial Number: 09/535,831
Attorney Docket Number: SYN 1756

Supervisory Patent Examiner Hassan Kizou for his telephone conference with Applicants' Attorney on February 12, 2004 and June 2, 2004.

37 CFR 1.324. Petitions For Correction of Inventorship in U.S. Patent No. 6,272,131, Pursuant To 35 U.S.C. 256 by the First Named Inventor, Yoram Ofek; the added Second, Joint Inventor, Mario Baldi; the Assignee, Synchrodyne, Inc. have been submitted to the USPTO by facsimile transmission on today's date, June 3, 2004, accompanied by the appropriate fee transmittal. A copy of this transmission is herewith provided for Examiner's convenience.

This response is accompanied by the appropriate fee transmittal authorizing the Commissioner to charge any additional fees and credit any overpayments during the pendency of this application to Sitrick & Sitrick's Deposit Account Number: 501166. Additional fees for a three-month extension of time and the Substitute, New Declaration (attached herewith) are due and paid via said fee transmittal form.

COPY

PATENT APPLICATION
Serial Number: 09/535,831
Attorney Docket Number: SYN 1756

Please amend the Specification as follows:

(page 1, lines 2 and 3 of the original specification)

RELATED APPLICATIONS:

This application is a continuation-in-part of application serial number: 09/120,636, filed July 22, 1998—now issued patent number: 6,272,131, issued August 7, 2001—which claims priority from provisional patent application serial number: 60/088,983, filed June 11 1998.

COPY

PATENT APPLICATION
Serial Number: 09/535,831
Attorney Docket Number: SYN 1756

REMARKS

Applicants hereby submit this Communication, Request for Reconsideration and Amendment B, responsive to Examiner Levitan's telephone conversations with the office of Applicants' Attorney on May 18, 24, 25 and 26, 2004; Examiner Kizou's telephone conversation with Applicants' Attorney on June 1, 2004 and to the Advisory Action—Date Mailed: May 28, 2003, Paper No. 10, for which a response is due March 03, 2004 by a shortened statutory period for reply set to expire three months from the mailing date of the Office Action.

During the afore-mentioned conversations regarding the previously submitted and not entered Amendment B (originally submitted March 1, 2004, and re-transmitted May 18, 2004; responsive to the Final Office Action—Date Mailed: December 03, 2003, Paper No. 6), Examiner Levitan stated that he did not understand the role of the second named inventor, because the disclosure of the present above-referenced patent application is the same as the disclosure of its parent (U.S. Patent No. 6,272,131), and the first named inventor of the present application was the sole inventor of its parent (U.S. Patent No. 6,272,131).

Examiner then states in the afore-mentioned Advisory Action:

The amendment to the specification raises [a] new issue concerning the inventorship under 102f. Claiming priority to Dr. Ofek patent basically implies that Mr. Baldi is not the inventor of the claimed invention, since the invention is fully disclosed and anticipated by the patent to Dr. Ofek to which Mr. Baldi had no contribution. In other words, Dr. Ofek is a sole inventor of the mentioned parent applicatio[n]/patent including all claims. This continuation-in-part is fully anticipated by the parent application/parent and raise[s] a question of the contribution of the second author[] to the invention.

Subsequent to the receipt of the above Advisory Action, Applicants' Attorney, David Sitrick, had a telephone conversation with Supervisory Examiner Hassan Kizou on June 1, 2004. Supervisory Examiner Kizou advised Applicants' Attorney of two methods of overcoming the afore-mentioned objection: (1) file a petition to drop the second, joint inventor, Mario Baldi, from the present application; or (2) file a petition to add the second, joint inventor, Mario Baldi to the parent application/patent (U.S. Patent No. 6,272,131). Applicants' Attorney discussed this matter with Applicants, and Applicants determined to file 37 CFR 1.324. Petitions For Correction of Inventorship in U.S. Patent No. 6,272,131, Pursuant To 35 U.S.C. 256.

37 CFR 1.324. Petitions For Correction of Inventorship in U.S. Patent No. 6,272,131, Pursuant To 35 U.S.C. 256 by the First Named Inventor, Yoram Ofek; the added Second, Joint

PATENT APPLICATION
Serial Number: 09/535,831
Attorney Docket Number: SYN 1756

Inventor, Mario Baldi; the Assignee, Synchrodyne Networks, Inc. have been submitted to the U.S.P.T.O. by facsimile transmission on today's date, June 3, 2004, accompanied by the appropriate fee transmittal. A copy of this transmission is herewith provided for Examiner's convenience. Applicants respectfully submit that any and all bases of objection and rejection under 35 USC 102 (f) are hereby traversed and overcome. As Applicants have now satisfied Examiners' requirements to overcome any question as to inventorship, Applicants hereby request Reconsideration After Final, so that the following Amendment B may be entered into the record.

Claims 21-52, 54-67, 82-86 and 89-91 are currently pending in the application. Claims 21-52, 54-67, 82-86 and 89-91 are rejected.

Applicants hereby submit this Amendment B, responsive to the Final Office Action—
Date Mailed: December 03, 2003, Paper No. 6, for which a response is due March 03, 2004 by a shortened statutory period for reply set to expire three months from the mailing date of the Office Action.

Claims 21-52, 54-67, 82-86 and 89-91 are currently pending in the application. Claims 21-52, 54-67, 82-86 and 89-91 are rejected.

By this Amendment, the Specification has been amended. A Substitute, New Declaration for Utility Patent Application (37 CFR §1.63) is herewith filed. Applicants wish to thank Supervisory Patent Examiner Hassan Kizou for his telephone conference with Applicants' Attorney on February 12, 2004.

In light of this New Declaration, Applicants respectfully submit that Examiner's rejections of Claims 21-52, 54-67, 82-86 and 89-91 under 35 U.S.C. §102(e) as being anticipated by Ofek (US 6,272,131) are improper and request Examiner to withdraw the Final Office Action. The previously submitted Amendment A, filed August 12, 2003, claimed priority for the present application from Ofek (US 6,272,131) and declared the present application to be a continuation-in-part of Ofek (US 6,272,131).

By virtue of the petitions filed today, the inventorship of US 6,272,131 was corrected to name both Yoram Ofek and Mario Baldi as inventors. Thus, both the present application and parent application/patent (US 6,272,131) name Yoram Ofek and Mario Baldi as common inventors. Both the present application and parent application/patent (US 6,272,131) are assigned to a common owner: Synchrodyne Networks, Inc. The subject matter of the various claims was commonly owned at the time of filing Applicants' present invention, as

COPY

PATENT APPLICATION
Serial Number: 09/535,831
Attorney Docket Number: SYN 1756

acknowledged by Applicants' Declaration which is filed concurrently with this Amendment B. An Assignment assigning all patent rights to Synchrodyne Networks, Inc. (duly executed by both of the joint inventors of the present Application) was filed by Applicants' Attorney of record on March 28, 2000. Therefore, there is complete identity of inventorship and common ownership of the present application and its parent application/patent (US 6,272,131).

35 U.S.C. §120 provides that a continuation application must be filed by "an inventor or inventors named in the previously filed application." The 1984 amendment to 35 U.S.C. §120 directly allows continuation, divisional, and continuation-in-part applications to be filed even though there is not complete identity of inventorship between the parent and subsequent applications.

37 C.F.R. §1.78(a)(1) provides that "In order for an application to claim the benefit of a prior-filed copending nonprovisional application... each prior-filed application must name as an inventor at least one inventor named in the later-filed application and disclose the named inventor's invention claimed in at least one claim of the later-filed application in the manner provided by the first paragraph of 35 U.S.C. 112." The impact of this rule can be avoided by naming inventor A in the second application and stating some claim supported by the prior application as to which A is a joint or sole inventor. Disclosure support in the Specification of Ofek (US 6,272,131) exists for all claims of the currently pending application.

37 C.F.R. §1.78(a)(2) provides that "Except for a continued prosecution application... any nonprovisional application... claiming the benefit of one or more prior-filed application... must contain or be amended to contain a reference to each such prior-filed application identifying it by application number (consisting of the series code and serial number)... and indicating the relationship of the applications. Cross references to other related applications may be made when appropriate (see §1.14)." Applicants have already complied with 37 C.F.R. §1.78(a)(2) in Amendment A (filed: August 12, 2003) of the currently pending application.

It is respectfully submitted that in light of this Communication, Request for Reconsideration, Amendment B and the concurrently filed Petitions For Correction of Inventorship in U.S. Patent No. 6,272,131, that the Final Rejection is improper and premature, and that the Final Office Action should be withdrawn.

This response is accompanied by the appropriate fee transmittal authorizing the Commissioner to charge any additional fees and credit any overpayments during the pendency of

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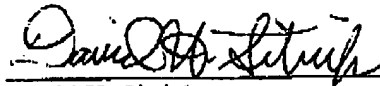
PATENT APPLICATION
Serial Number: 09/535,831
Attorney Docket Number: SYN 1756

this application to Sitrick & Sitrick's Deposit Account Number: 501166. Additional fees for a three-month extension of time and the Substitute, New Declaration (attached herewith) are due and paid via said fee transmittal form.

It is thus respectfully submitted that by this amendment all basis of objection and rejection have been traversed and overcome, and that the application, including the specification description, claims and drawings are in proper form for allowance.

The Examiner is invited to communicate directly with the undersigned via phone as would be of assistance to expediting prosecution of this matter.

Respectfully submitted,



David H. Sitrick
Attorney for Applicants
Registration No. 29,349

June 3, 2004

SITRICK & SITRICK
8340 N. Lincoln Ave., Suite 201
Skokie, IL 60077
Telephone Number: (847) 677-4411
Facsimile Number: (847) 677-4656

COPY

Please type a plus sign (+) in the box.

Comparable to PTO/55/01 (12-97)

Approved for use through 9/30/00. OMB 0651-0021

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)	Attorney Docket No.: SYN 1756 First Named Inventor: Yoram Ofek
<input checked="" type="checkbox"/> Declaration Submitted with Initial Filing <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge 37 CFR 1.16(e) required)	COMPLETE IF KNOWN Application Number: Filing Date: Group Art Unit: Examiner Name:

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A SWITCHING SYSTEM AND METHODOLOGY HAVING SCHEDULED CONNECTION ON INPUT AND OUTPUT PORTS RESPONSIVE TO COMMON TIME REFERENCE

the specification of which:

☐ is attached hereto;☒ OR

was filed on 03/28/00 as United States Application Number or PCT International Application Number 09/535,831 and was amended on June 6, 2000 and August 12, 2003

COPY

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 USC 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application, which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
Not applicable					

Additional foreign application numbers are listed on a supplemental priority date sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 USC 119(e) of any United States Provisional application(s) listed below.

Application Number(s)	Filing Date(MM/DD/YY)	Attorney Docket Number
60/088,983	06/11/98	SYN 1701-P

Please type a plus sign (+) in the box.

Comparable to PTO/55/01 (12-97)

Approved for use through 9/30/00. OMB 0651-0021

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YY)	Parent Patent Number (if applicable)
09/120,636	07/22/98	6,272,131

Additional U.S. or PCT international application numbers are listed on a supplemental priority date sheet PTO/SB/02B attached hereto:

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

☒ Customer Number 20787

OR ☐ Registered practitioner(s) names/registration number listed below.

Name	Registration No.	Name	Registration No.

Additional registered practitioner(s) named on supplemental Registered Practitioner information sheet PTO/SB/02C attached hereto:

Direct all correspondence to: ☒ Customer Number 20787 OR ☐ Correspondence address below.

Name:

Address:

City:

State:

Zip:

Country:

Telephone:

Fax:

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First inventor:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any)) YORAM				Family Name or Surname OFEK			
Inventor's Signature	<i>Yoram Ofek</i>					Date:	<i>2/26/04</i>
Residence: City	Riverdale	State	NY	Country	US	Citizenship	US
Post Office Address	2600 Netherland Avenue, Suite 1921						
Post Office Address							
City	Riverdale	State	NY	ZIP	10463	Country	US

☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

29/02/2004

07:00

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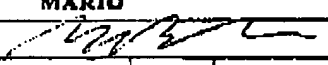
NUM941

021

Additional Inventor(s) sheet
PTO/SB/02A

Name of Second or Joint Inventor:

A petition has been filed for this unsigned inventor

Given Name (first and middle (if any)) MARIO				Family Name or Surname BALDI			
Inventor's Signature						Date:	2/29/04
Residence: City	Cuneo	State	Italy	Country	Italy	Citizenship	Italy
Post Office Address	Viale Angeli 43						
Post Office Address							
City	Cuneo	State	Italy	ZIP	12100	Country	Italy

COPY

PTO/SB/17 (10-03)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$540.00)

Complete if Known

Application Number 09/535,631
Filing Date 03/28/2000
First Named Inventor OFEK, Yoram
Examiner Name LEVITAN, Dmitry
Art Unit 2662
Attorney Docket No. SYN 1756

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number
Stirick & Sitrick

Deposit Account Name
501166

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims - 20** = X =
Independent Claims - 3** = X =
Multiple Dependent Claims =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 280	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$0)

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	85.00
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
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1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 800	1802 900	Request for expedited examination of a design application	

Other fee (specify) (Terminal Disclaimer)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$540.00)

SUBMITTED BY

Name (Print/Type) David H. Sitrick
Signature *David H. Sitrick*

Registration No. 29,349
(Attorney/Agent)

(Complete if applicable)

Telephone 847-877-4411

Date June 3, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

DUPLICATE

PTO/SB/17 (10-03)

Approved for use through 07/31/2006, OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003, Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 540.00)

Complete if Known

Application Number	09/535,831
Filing Date	03/28/2000
First Named Inventor	OFEK, Yoram
Examiner Name	LEVITAN, Dmitry
Art Unit	2662
Attorney Docket No.	SYN 1756

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number
Strick & SitrickDeposit Account Name
501166

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

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1005 180	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
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Multiple Dependent	-3** =	X	

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1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$ 0)

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
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1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
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1255 2,010	2255 1,005	Extension for reply within fifth month	
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1403 290	2403 145	Request for oral hearing	
1451 1,510	2451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
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1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) (Terminal Disclaimer)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 540.00)**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	David H. Sitrick	Registration No. (Attorney/Agent)	29,349	Telephone	847-677-4411
Signature	<i>David H. Sitrick</i>	Date	June 3, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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06/03/2004 14:10 FAX 847 677 4656 SITRICK & SITRICK (000)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	OFFER, Yoram	CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8 I hereby certify that this correspondence is being facsimile transmitted to: 703.872.9706 at the United States Patent and Trademark Office on August 3, 2014. <i>Ellen L. Corbin</i> Ellen L. Corbin (5 pages total)
Pat.	INTEGRATED DATA PACKET NETWORK USING A COMMON TIME REFERENCE	
Patent Number:	6,272,131	
Issued:	August 7, 2001	
Supervisory Examiner:	OLMS, Douglas	
Art Unit:	2661	
Agency Docket:	SVN 1701	

37 CFR 1.314, PETITION FOR CORRECTION OF INVENTORSHIP IN PATENT,
PURSUANT TO 35 U.S.C. 256
AND
STATEMENT OF YORAM OFFER

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22312-1450

Dear Sir:

It has come to my attention, as First Named Inventor of the above-referenced patent, that an error in named inventorship occurred without any deceptive intention my part. I hereby request that Mario Bahli, residing at: Viale Angeli 43, Cuneo, ITALY 12100; a citizen of ITALY, be added as the Second, Joint Inventor of this patent.

Additionally this Petition is accompanied by the following:

- 1) a Statement from Mario Bahli requesting to be added as the Second, Joint Inventor of this patent.
- 2) a Statement from the Assignee agreeing to the above-mentioned change of inventorship in the above-referenced patent.
- 3) the appropriate fee transmittal (authorizing the payment of the fee set forth in § 1.20(b))

I, Yoram Offer, do hereby agree to the above change in inventorship.

Yoram Offer
Yoram Offer (First Named Inventor)

6/3/2004
Date

PAGE 15 * RCVD AT 6/20/04 5:54:04 PM [Eastern Daylight Time] * SVR:USPTO-EFXXF-10 * DNIS:2738300 * CSID:847 677 4656 * DURATION (mm:ss):08:26

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	OFEK, Yoram)	CERTIFICATE OF
		)	TRANSMISSION UNDER
For:	INTEGRATED DATA PACKET	)	37 CFR 1.8
	NETWORK USING A COMMON)	
	TIME REFERENCE	)	I hereby certify that this
Patent Number:	6,272,131	)	correspondence is being facsimile
		)	transmitted to: 703.872.9306 at
Issued:	August 7, 2001	)	the United States Patent and
		)	Trademark Office on <u>June 3,</u>
Supervisory	OLMS, Douglas	)	<u>2004.</u>
Examiner:)	
Art Unit:	2661	)	<i>Elice L. Corrado</i>
		)	Elice L. Corrado
Attorney Docket:	SYN 1701	)	(5 pages total)

37 CFR 1.324. PETITION FOR CORRECTION OF INVENTORSHIP IN PATENT
PURSUANT TO 35 U.S.C. 256
AND
STATEMENT OF YORAM OFEK

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

It has come to my attention, as First Named Inventor of the above-referenced patent, that an error in named inventorship occurred without any deceptive intention my part. I hereby request that Mario Baldi, residing at: Viale Angeli 43, Cuneo, ITALY 12100; a citizen of ITALY, be added as the Second, Joint Inventor of this patent.

Additionally this Petition is accompanied by the following:

- 1) a Statement from Mario Baldi requesting to be added as the Second, Joint Inventor of this patent.
- 2) a Statement from the Assignee agreeing to the afore-mentioned change of inventorship in the above-referenced patent.
- 3) the appropriate fee transmittal (authorizing the payment of the fee set forth in § 1.20(b).

I, Yoram Ofek, do hereby agree to the above change in inventorship.

Yoram Ofek
Yoram Ofek (First Named Inventor)

6/3/2004
Date

6/2/2004, 1701 PetitionCorrectOfek.doc

6/3/2004 3:25 PM FROM: +39 335 1267290 TO: 001 847 677-4656 PAGE: 001 OF 001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: OFEK, Yoram)
)
For: INTEGRATED DATA PACKET)
NETWORK USING A COMMON)
TIME REFERENCE)
)
Patent Number: 6,272,131)
)
Issued: August 7, 2001)
)
Supervisory OLMS, Douglas)
Examiner:)
)
Art Unit: 2661)
)
Attorney Docket: SYN 1701)

37 CFR 1.324. PETITION FOR CORRECTION OF INVENTORSHIP IN PATENT,
PURSUANT TO 35 U.S.C. 256
AND
STATEMENT OF MARIO BALDI

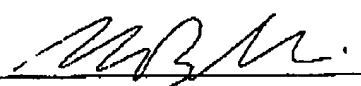
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COPY
COPY

Dear Sir:

It has come to my attention that an error in named inventorship of the above-referenced patent occurred without any deceptive intention on my part. I hereby request to be added as the Second, Joint Inventor of this patent.

I, Mario Baldi, residing at: Viale Angeli 43, Cuneo, ITALY 12100; a citizen of ITALY, do hereby agree to the above change in inventorship.


Mario Baldi (Second, Joint Inventor)

June 3rd, 2004

6/2/2004, 1701PetitiontoCorrectBaldi.doc

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: OFEK, Yoram)
For: INTEGRATED DATA PACKET)
NETWORK USING A COMMON)
TIME REFERENCE)
Patent Number: 6,272,131)
Issued: August 7, 2001)
Supervisory OLMS, Douglas)
Examiner:)
Art Unit: 2661)
Attorney Docket: SYN 1701)

COPY
COPY

37 CFR 1.324, PETITION FOR CORRECTION OF INVENTORSHIP IN PATENT,
PURSUANT TO 35 U.S.C. 256
AND
STATEMENT OF ASSIGNEE (SYNCHRODYNE NETWORKS, INC.)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

It has come to my attention, as a party authorized to act on behalf of the Assignee (Synchrodyne Networks, Inc.) of the above-referenced patent, that an error in named inventorship occurred without any deceptive intention the part of the Assignee. I hereby request that Mario Baldi, residing at: Viale Angeli 43, Cuneo, ITALY 12100; a citizen of ITALY be added as the Second, Joint Inventor of this patent.

I, Yoram Ofek, authorized to act on behalf of the Assignee with respect to 37 CFR 3.73(b) to establish ownership, do hereby agree to the above change in inventorship.

Yoram Ofek
Yoram Ofek (Authorized Officer)
Synchrodyne Networks, Inc.

6/3/2004
Date

4/2/2004, 1701PetitionCorrected2.doc

PTO/SB/17 (10-03)

Approved for use through 07/31/2006, OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003, Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

Complete if Known

Patent Number	6,272,131
Issue Date	August 7, 2001
First Named Inventor	OFEK, Yoram
Supervisory Examiner	OLMS, Douglas
Art Unit	2661
Attorney Docket No.	SYN 1701

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number
501166
Deposit Account Name

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

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1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent		-20** =		X			
Multiple Dependent		-3** =		X			

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1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
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1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (Processing fee for correcting inventorship in a patent (\$ 1,324))			130.00
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3)			(\$ 130.00)

SUBMITTED BY

Name (Print/Type)	David H. Sitrick	Registration No. (Attorney/Agent)	29,349	Telephone	847-677-4411
Signature	<i>David H. Sitrick</i>	Date	June 3, 2004		

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